

Newstead Town Board Meeting- April 26, 2004

A Regular Meeting was called to order by the Newstead Town Board on Monday, April 26, 2004 at the Newstead Town Hall at 8:00PM.

Present: Gerald F. Summe, Supervisor
Joan Glor- Councilwoman
Scott Chaffee- Councilman
Jim Ebersole- Highway Superintendent
Christine Falkowski- Building Administrator
Dan Seider- Town Engineer
Nathan Neill- Town Attorney
Dawn Izydorczak- Town Clerk
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present except Councilman George who is working and Councilman Finger who is on vacation.

Dale Cheavacci led the pledge to the flag.

Minutes from the previous regular board meeting held on April 12, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to approve as presented. Carried Unanimously

Communications – The Town Clerk presented the following:

A letter from the NYS Department of State acknowledging receipt and filing of Local Law No. 1 of 2004 on March 29, 2004.

A notification of Public Hearing from the Town of Alabama on proposed Local Law No. 1 of 2004 on Monday, May 10, 2004 at 7:30pm at the Alabama Town Hall.

A notification from New York Business Development Corp. announcing U.S. Small Business Administration 504 Loans for Western New York businesses. Anyone interested can contact Robert Lazar of New York Business Development Corp. at (518) 463-2268.

The NYS DEC has announced a proposed Big Game Youth Hunt in the Southern Zone in November of this year for 16 – 17 year olds. More details will follow if this proposed hunt is approved.

An announcement the NYS Department of State of Public Meetings on Brownfield Funding Opportunities throughout NYS from April- May. The closest meeting for Newstead will be April 29th in Rochester, Town of Greece Town Hall beginning at 10:00 am. There will also be a meeting to learn about the Brownfield's Cleanup Program on May 12th at Monroe Community College in Rochester. Anyone wishing to attend can contact the Clerk for more information.

A fax transmission from Amherst Central Alarm Office reporting the March 2004 calls for Akron Fire Co.- 47 and Newstead Fire Co.- 13.

A notice from Erie County announcing the Household Hazardous Waste Drop-off day for Saturday, May 8, 2004 at Erie Community College- North Campus from 9:00am – 2:00pm and the Electronics Recycling Day for Saturday, May 15, 2004 at Erie Community College- North Campus from 9:00am – 2:00pm.

The Quarterly Report from BFI for January 1 – March 31, 2004. 1,691+/- residential units collected 426.51+/- tons of solid waste and 100.56 tons of co-mingled recyclables.

The County of Erie Division of Purchase has released the results and specifications for Erie County Bid #240039-T and 240040- T, which have been delivered to the Highway Superintendent.

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor to receive and file correspondence as presented. Carried Unanimously

Work Session: Supervisor Summe reported that work session was held on April 19, 2004 and the following issues were discussed: Public meeting held on Ag Districts, airport project applications, the new Town Hall, update on labor negotiations, discussion on police services, work at the Newstead Community Center, Faith Fellowship site plan, Henley water request, and the search for new Senior Coordinator, as well as other issues.

Privilege of the Floor –Dale Cheavacci, 113 John Street, questioned the results of the airport study and what are our future options. Supervisor explained that the town hired counsel who met several times with the FAA. The results were that after consultant opinions were rendered, the findings were that the FAA would basically control the airport, not the town. The town felt as a result of these findings, they were better by leaving the airport zoning as it was which would offer them more control over all future projects.

Approval of Bills -Councilwoman Glor reported that the Abstract from Batch #256 & 257 from the 4/12/04 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #260 & 261. Vouchers on these abstracts numbered 326,327,328-373 totaling \$243,695.88 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Chaffee to approve payment.

Abstract Batch 260 & 261:

General Fund (A) -\$21,208.75, Fund (B) \$192.00, Highway (DA) -\$0, Highway: Outside Village (DB) \$1,127.53, Capital Projects- WD#5-Phase II (HC) \$0, CAP-Senior Center (HF)- \$0, Sewer Dist. #2 (HJ)- \$0, CAP- Library Fund (HE)-\$4,690.00, CAP-WD#10 (HI)- \$0, CAP- Town Hall (HK)- \$1,500.00, Fire Protection (SF) \$204,416.00, Refuse (SR) \$0, Sewer Fund (SS) \$4,065.75, Sewer District #2 (SS02)- \$256.28, and Water Districts (SW1) \$3,131.00, (SW2) \$0, (SW3) \$3,066.00, (SW4) \$0, (SW5) \$42.57, (SW6) \$0, (SW7) \$0, (SW7A) \$0, (SW8) \$0, (SW9) \$0, Trust & Agency (TA) \$0, Totaling \$243,695.88 Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway – Tire drop-off was last Saturday with collections of over 1,000 tires. The price is \$81.25 per ton with pick-up on Wednesday or Thursday of this week. Driveway pipes are being installed. They also are grooming intersections and grinding stumps on trees cut this winter with machine borrowed from Town of Clarence. The Superintendent thanked Clarence for the use of this machine. Ken Wozniak cut and trimmed trees in cemetery and they are getting town park ready for spring sports. White Metal pick up begins May 3rd, spring Safety Training completed and recycle bins have been moved to Village facility.

Assessor –not present

Building Office –the following building report was presented by the Building Administrator Christine Falkowski:

Tim Trzenski	7746 Moore Rd	Addition
Edward Berghorn	7853 Berghorn	Windows, Roof, Siding
Scott Henningham	5559 Barnum	Shed
Paul Griffin	4389 S .Newstead	Pole Barn
Joseph Savakinas	11890 Meahl	Addition
Edward Berghorn	7853 Berghorn	Remodel
Philip Harner	6279 Utley	Addition
David Chesna	4427 S .Newstead Rd	Patio Enclosure
Keith Kuzara	12282 Rapids	2 Decks
Wesley Ribbeck	13974 Bloomingdale	Shed
Doug Heiderman	13027 Kirby	Pole Barn

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A motion was made by Councilman Chaffee, seconded by Councilwoman Glor to accept and approve the Building Report as presented.

Carried Unanimously

Town Clerk- Reported Web page hits for 4/4/04 – 4/17/04 on the Home page- 173.

Attorney for the Town – Phrase II report is in and will be discussed at worksession.

COUNCILPERSONS

Chaffee –Rotary meeting on community restroom project went well, with 2 sites under consideration.

George – Not present

Glor – Numbers for recycling are up 30.6%, refuse up 7% and advertising for new Senior Coordinator position are in the papers.

Finger- Not present

SUPERVISOR – Pleased to announce that a three-way stop light is to be installed at Rt. 93 & Rt. 5 by July of this year. January Supervisor’s report is on file with the Town Clerk for Review. Audit going well and the Public Hearing for Agriculture Districts was very well attended.

UNFINISHED BUSINESS

Water District #10- The Supervisor is optimistic that this project is on track along with the water tank design.

Town Wide Drainage-The committee met and added 3 more areas to the list. They are Main Rd, McNeeley, and Clarence Center and Roll roads. The Highway Superintendent requested that the property at Main and Havens Road be looked at for potential drainage problems.

Senior Center- There is a report being prepared for the County on final expenditures.

Town Hall Project-The tentative closing date is Wednesday, April 28, 2004. Architect to be hired at next board meeting on May 10th.

Route 5 Zoning-The meeting last week went very well and progress is being made.

Other-

NEW BUSINESS:

T-Mobile Tower- Public Hearing:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee ordering a public hearing be held on the T-Mobile cell tower project to be located at 5877 Buell Street on May 24, 2004 at 7:50 PM at the Newstead Town Hall.

(Resolution Attached) Ayes-3 Nays-0 Carried Unanimously

Local Law No.2 of 2004:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor ordering a public hearing be held on the proposed amendments to the Zoning Law known as Local Law No. 2 of 2004 on May 24, 2004 at 7:45 PM at the Newstead Town Hall.

(Resolution Attached) Ayes-3 Nays-0 Carried Unanimously

Faith Fellowship Site Plan:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee approving the site plan for the Faith Fellowship Church project as recommended by the Planning Board.

Ayes-3 Nays-0 Carried Unanimously

Lateral Restriction- 12481 McNeeley Rd:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee approving the Lateral Restriction Hardship request for water service at 12481 McNeeley Rd based upon supporting documentation.

Ayes-3 Nays-0 Carried Unanimously

Lateral Restriction-11701 Clarence Center Rd:

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor approving the Lateral Restriction Hardship request for water service 11701 Clarence Center Rd. based upon supporting documentation.

Ayes-3 Nays-0 Carried Unanimously

SEQR-Zoning Law Amendment:

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to authorize a SEQR coordinated review.

(Resolution Attached) Ayes-3 Nay -0 Carried Unanimously

Question Period-No one spoke

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Chaffee to adjourn the meeting at 8:57 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorcak,
Town Clerk